

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, January 23, 2006 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux and Daniel Morgado, Town Manager. Mr. Hammond called the meeting to order at 7:03pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0657 in the amount of \$1,697,495.41, and #0660 in the amount of \$1,717,171.03. Motion made, seconded and unanimously approved.
2. Approve Minutes of January 9, 2006 and January 12, 2006. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Hammond reminded residents to be aware of snow conditions in their neighborhoods and to help one another wherever possible. Mr. Hammond announced that he would not be seeking reelection to the Board of Selectmen this year and that he would be stepping down as chairman at the next meeting which is scheduled for February 6th. His reasons for doing this are due to the fact that he recently accepted a position in Boston and feels that the Town deserves a chairman who has more time to devote to Town business especially as we are entering the budget process. He will continue on as a member of the Board until his term expires in May. He thanked residents for their support and Town Department heads and his fellow Board members for their friendship and assistance during his six years on the Board. The Board will reorganize at their next meeting.
4. Town Manager's Report - Nothing other than what is on the agenda. Mr. Morgado advised that he would be asking for an executive session this evening to discuss value of real property.

Meetings:

5. 7:15pm – Joint Meeting with Library Board of Trustees. Library Director Ellen Dolan and Trustee Chairman, George Strom and members of the Board of Trustees were present.
 - a. To fill vacancy on Board of Trustees. Mr. Hammond advised that when a vacancy occurs on the Library Board of Trustees due to the resignation of one of the members, Town by-laws require a joint meeting of the Trustees and the Board of Selectmen to select someone to fill that vacancy. Mr. Hammond asked Mr. Strom if his Board had a recommendation for the position. Mr. Strom advised that the Library Board of Trustees unanimously voted to recommend Nancy Gilbert, 9 Old Laxfield Road, to fill the unexpired term of Alice Canty expiring on May 1, 2006. On a roll call vote, Mr. Larson, yes, Ms. Rennie, yes, Ms. Whitney, yes, Ms. Carpenter, yes, Ms. Cullen, yes, Mr. McKenna, yes, and Mr. Strom, yes. Mr. Lebeaux moved that the Board of Selectmen vote to approve the Library Trustees choice to fill the vacancy until the next election. Motion was seconded and unanimously voted. Roll call vote: Mr. Fiore, yes, Mr. DePalo, yes, Mr. Card, yes, Mr. Lebeaux, yes, and Mr., Hammond, yes.
 - b. Update on Library Project. Ms. Dolan updated the Board on the current status of the Library project. She advised that the project is under consideration by the legislature and government offices and funding is expected no later than 2008. After initial funding approval is received the project has six months to get local approval, another nine months to secure a contractor with a construction period of eighteen months. Completion of the project is estimated for no earlier than 2010. Funds are disbursed at the beginning of the project with additional payments made throughout construction. An update will be provided at the Annual Town Meeting in May. Mr. Strom advised that they soon will be kicking off the fund raising portion of the project and added that they are currently working on attaining a recommendation from the IRS as non-profit so that finds collected would be tax free. Ms. Dolan advised that they had been working with the Town

Manager and will provide a working budget at Town Meeting in May. Mr. Hammond thanked Ms. Dolan and Mr. Strom for the update.

Public Hearings:

6. 7:05pm – Tree Hearing – Trees at Intersection of North & High Streets. (continued) Mr. Hammond reopened the hearing and asked Board members for their thoughts since the last time this matter was discussed. After a short discussion, the Board agreed that removal of the tree in question and the others cited for removal by Supt. Knipe would improve safety conditions at the intersection. As this is a public hearing, Mr. Hammond asked if there were any additions comments from the public and as there were none a motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the removal of seventeen trees located at North and High Streets of various types and sizes 2" through 40" for intersection safety improvements. Motion was seconded and unanimously voted. Mr. Morgado will remind the Planning Board that residents should be made aware of proposed changes of this type in future hearings for new developments.
7. 7:30pm - Rose's Restaurant, Inc., 15 Lake View Avenue, Abrahao Louzada Duarte, owner, Common Victualler's License. Hours of operation: Sunday to Saturday 11:30am to 10:00pm. (continued) Mr. Hammond reviewed the previous proceedings. He advised that Mr. Duarte had submitted a letter formally withdrawing his application for a Common Victualler's License for 15 Lake View Avenue. Mr. Hammond opened the hearing for public comment. The property owners, Mr. & Mrs. Tantarawat, were present and advised that Mr. Duarte was no longer operating Rose's Restaurant at this location. As there was no further comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the withdrawal of the application of Rose's Restaurant, 15 Lake View Avenue, Abrahao Louzada Duarte, owner, for a Common Victualler's License without prejudice. Motion was seconded and unanimously voted.

Old Business:

8. Hunting on Public Property. Mr. Hammond reviewed the previous discussion on the matter. A map had been made available to the Board showing the areas in Town that hunting was restricted and where it would be allowed. He reviewed the various designations the state gives to towns that limit hunting and noted that none of these apply to Shrewsbury. After a discussion, the Board decided to keep the policy in place as it is at present and to have the Manager look into what could be done if action is required in the future. No action at this time.
9. Thai Time Restaurant, 15 Lake View Avenue. The Building Inspector and the Fire Chief notified the office that there are no longer any problems with this business.
10. Course of Action – Fire Facilities Project. Mr. Hammond advised that there will be a joint meeting of the Board and the Fire Station Building Committee on Thursday, February 2nd to discuss the various points brought up at the January 12th hearing and to decide what course of action the Town will take. Mr. Morgado will ask Kang Associates to address these issues on February 2nd.
11. Update on Fiscal Year 2007 Budget Filing. Mr. Morgado advised the Board that he was in the process of putting the budget together for filing by the end of the week. The Governor will be filing his budget this week and Mr. Morgado will include those figures as well. Mr. Lebeaux suggested that the Board should make it very clear prior to any budget discussions that they would not support a Proposition 2_ override ballot question for operational purposes this year. This has been a ballot question for the past two years and it has been defeated. Mr. Lebeaux went on to say that although the Board would not support an override question for operational purposes they would be open to supporting a Proposition 2_ Debt Exclusion question, as a debt exclusion is a temporary rather than a permanent tax levy. Board members went on to say that the town will live within budget which could mean severe cut backs in services and layoffs. Mr. Hammond noted that the public should be educated as to what the impact will be to Town services.

New Business:

12. Approve FY2007 Budget for Board of Selectmen. Mr. Morgado advised that there is level funding for each category. The primary items are MMA membership and MGL publications. Motion was made, seconded and unanimously voted to approve the FY 2007 budget.

13. St. Mary's Syrian Orthodox Church, 1 Industrial Drive, One Day All Alcohol License for event on Saturday, February 11, 2006 from 8:00pm to 1:00am. Motion was made, seconded and unanimously voted to approve the application of St. Mary's Syrian Orthodox Church for the event and times as stated.

Executive Session:

14. Collective bargaining, pending litigation, and value of real property. Motion was made, seconded and unanimously voted to adjourn into executive session at 8:34pm and not to reconvene for the purpose of discussion of value of real property. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Fiore, yes, Mr. DePalo, yes, and Mr. Hammond, yes.

Communications:

15. Noted copy mailed: MBTA Preliminary 2006 Service Plan public meeting schedule.
16. Noted copy mailed: E-mail from Barbara & James Evans, 4 Jamie Lane, re Tree Removal.
17. Noted copy mailed: E-mail from Ken Milley, 105 Francis Avenue, re Facilities Proposal.
18. Noted copy mailed: Announcement of Shrewsbury Day at the Worcester County Food Bank. Will take place on Thursday, January 26th.
19. Noted copy mailed: Traffic Sign changes from MassHighway - signals at St. Mary's Elementary School & Paton School. Adjustment in signal timing requested by Chief Sampson.
20. Noted copy mailed: ZBA Hearing Minutes, 12/6/05, Catherine Hartman, 226 Oak Street.
21. Noted copy mailed: ZBA Hearing Minutes, 12/6/05, William Burke, 7 Maplewood Road.
22. Noted copy mailed: ZBA Hearing Minutes, 10/25/05, Ski-Ward, 1000 Main Street.
23. Noted copy mailed: ZBA Hearing Agenda, 1/31/06.
24. Noted copy mailed: MBTA Advisory Board Information Update Request.
25. Noted copy mailed: Westborough Treatment Plant Board Meeting Minutes, 11/2/05, 11/30/05, 12/6/05.
26. Noted copy mailed: School Committee Meeting Agenda, 1/18/06.
27. Noted copy mailed: E-mail from Mike Sinnott, 8 Sunflower Circle, re vacancy on the Library Board of Trustees.
28. Noted copy mailed: Response Action Outcome Statement from CleanHarbors re release of diesel fuel.
29. Noted copy mailed: Letter from Sheila LoCascio, 69 O'Donnell Avenue, re stop sign at O'Donnell Avenue & Audubon Drive. Forward to Chief Sampson for report.
30. Noted copy mailed: E-mail from Howard Fease, 10 Canna Drive, re Facilities Proposal.
31. Noted copy mailed: E-mail from Glenn May, 190 Oak Street, re Facilities proposal.
32. Noted copy mailed: E-mail from Anthony DiBenedetto, 11 Lake View Avenue, re Several Questions. Owner will be notified about concerns.
33. Noted copy mailed: Letter from Town Clerk, Ann Dagle expressing interest in appointment as Town Clerk. Motion was made to appoint Ann Dagle to the position of Town Clerk for a term of three years commencing on May 1, 2006. Motion was seconded and unanimously voted.
34. Noted copy mailed: Snow Storm Reports, 12/31/05-1/1/06, 1/3/06 & 1/15/06.
35. Noted copy mailed: Announcement of Shrewsbury Community Forum: Next Steps "Building Respect Empowering Youth" Tuesday, January 24th at 7:00pm at Shrewsbury High School.
36. Noted copy mailed: Request from UMass/Memorial Foundation to hold the 8th Annual Mass. AFL-CIO "Walk to Cure Cancer" on Shrewsbury roadways on Sunday, September 10, 2006 beginning at 2:00pm. Forward to Police Dept. for report.
37. Noted copy mailed: Press Release from D.A. John Conte re Statistics on Disposition of Criminal Cases for Worcester Division of Superior Court Dept. of Trial Court for 2003-2005.
38. Noted copy mailed: Veolia Water Monthly Compliance Report, December 2005.
39. Noted copy mailed: Notice from Treasurer to Sophie's Restaurant of bad check. Mr. Morgado advised that this issue had not been resolved as of this date but that he would monitor.
40. Noted copy mailed: E-mail from William Harper, 132 High Street, re Tree at Intersection of North & High Streets.
41. Noted copy mailed: Letter from Abrahao Louzada Duarte of Rose's Restaurant withdrawing application for Common Victualler's License.

42. Noted copy mailed: Letter from Senator Augustus re FY07 state budget. Mr. Hammond thanked the senator for his assistance and for attending the annual legislative workshop held last Saturday. He also thanked Rep. Polito and Congressman McGovern for attending.
43. Noted copy mailed: School Committee Meeting Minutes of 12/7/05 & Workshop Minutes of 12/15/05.
44. Noted copy mailed: Planning Board Agendas 2/2/06 & 3/2/06.
45. Noted copy mailed: Letter from Gayle Galletta re oak tree at corner of High & North Streets.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:34pm and not to reconvene for the purpose of discussing value of real property. On a roll call vote Mr. Card, yes, Mr. Lebeaux, yes, Mr. Fiore, yes, Mr. DePalo, yes, and Mr. Hammond, yes.

Respectfully submitted,

Janice C. McCoy
Secretary